

DRAFT
OGC/ALP/AC/IM
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MEMORANDUM FOR: DD/A

FROM: : General Counsel

SUBJECT : Use of Agency Automobiles

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1. General limitations on the use of government-owned vehicles are found in Public Law 600, Section 16(c) which provides:

"...no appropriation for any department shall be expended ...for the maintenance, operation, and repair of any Government-owned passenger motor vehicle, not used exclusively for official purposes, and 'official purposes' shall not include the transportation of officers and employees between their domiciles and places of employment."

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3. In view of repeated Congressional attempts to restrict the use of government vehicles, this Agency has been privileged by the quoted language. We may assume that the privilege was intended to be related to the unique functions of the Agency which involve security. Obligations are placed by law on the officer of the department who is charged with the responsibility of administering the use of Government-owned passenger vehicles and control over the use of Government vehicles largely is a matter of administrative discretion to be exercised within the framework of applicable laws. Care should be exercised in seeing that such vehicles are not used in violation of the provisions of law, limiting such use to official business. In no

event should the automobiles be used for personal use including trips between domiciles and places of employment or between domiciles unless it is determined that "such personnel are engaged in work which makes such transportation necessary."

4. The General Accounting Office enforces the prescribes of Public Law 600 by ^{the use of} investigators who report apparent violations of "official use". These ^{reports} violations are in turn transmitted to the Agency heads and in some cases, in ^{statements} ~~reports~~ to Congress.

5. Basically, the prohibitions on the use of Government automobiles are intended by Congress to eliminate the non-essential use of such vehicles to transporting persons for their own benefit or convenience, but it was not the intent of Congress to deny the Government vehicles where it is reasonably evident that such use is for official purposes.

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